

EVIDENCE DRAGS CLAUDE CLOSER TO DEATH CHAIR

State Believes Case
Against Young Allen
Already Complete.

PROVES THEORY OF CONSPIRACY

Not Only Shows That Defend-
ant Killed Judge Massie, but
Also That Wesley Edwards
Distributed Cartridges, and
Allen Clan Went Into
Courtroom Together.

(Special From a Staff Correspondent.)
Wytheville, Va., May 23.—Evidence
strong enough, in the Commonwealth's
estimation, already has been adduced
by its witnesses in the first day and
a half of testimony to send Claude
Swanson Allen to the death chair at
Richmond for the murder of Judge
Thornton L. Massie at Hillsville last
March.

Two mountains of evidence, which
the defense may never be able to
overcome, have been built by the
Commonwealth early in its case. First,
the testimony of Judge D. W. Boies
yesterday, when he said he saw Claude
fire the first shot in the courtroom
that fateful day, and that he saw the
bullet take effect in Judge Massie's
right shoulder, this proving to be the
mortal wound; second, the testimony
to-day of John Dalton, who said he
saw Wesley Edwards pass around
loaded cartridges to the rest of the
men on indictment for the Hillsville
murders just after court had convened
the morning of the tragedy.

Just how the defense can repudi-
ate such testimony is a subject of
conjecture. The ability of the lawyers
for the defense to do so is success-
fully before the jury is doubted gener-
ally by unbiased followers of the trial.

Feature of Day's Trial.

Dalton's testimony easily furnished
the surprise and feature of today's
proceedings before Judge Walter H.
Staples in the Wythe county court.
He testified that on the morning of
March 14, he was in the courtroom
with the other defendants, and that
he saw Wesley Edwards pass around
loaded cartridges to the rest of the
men on indictment for the Hillsville
murders just after court had convened
the morning of the tragedy.

On the witness stand this afternoon,
he said he had been standing outside
the courthouse about 5 o'clock on the
morning of March 14. He was a few
feet away from a circle of men, in the
center of which was Wesley Edwards.
Surrounding the Edwards boy, who is
still a fugitive, were Sidney, Claude,
Floyd Allen, Byrd, Marion, James Ed-
wards and two others not known to
Dalton at the time, but whose descrip-
tions fitted Victor and Friel Allen.

"I saw Wesley Edwards put his
hand into his pocket and pull out some
loaded cartridges. His friends gath-
ered close around him, and he passed
his handful of cartridges to each one
in turn. I could not see which ones
took cartridges," was the burden of
Dalton's testimony. He said later:
"After they talked for a while about
witnesses in Floyd's trial, Floyd
started up the steps to the courtroom,
and he turned and called back to the
others: 'I'll let you all know.'"

Attorney R. Holman Willis, for the
defense, labored manfully to tangle up
Dalton on cross-examination, but the
witness refused to be shaken mate-
rially. The further the defense de-
veloped under cross-examination, that
the Allen had followed Floyd up the
steps into the courtroom together and
that after the shooting they congreg-
ated at the corner across the street
from the courthouse and went in a
body down the alley toward Blanken-
ship's stable. The witness' testi-
mony adduced at either trial to show
how the Allen had entered the court-
room after the Allen were proven to
be false, but never had it been shown
how they had entered.

Gross Evidence.

Gross evidence of the tragedy
were produced in court to-day, when
Judge Massie's clothes, worn the day
of his death, were presented by the
Commonwealth and admitted as evi-
dence. Fred Seagle, a Pulaski under-
taker, who had helped embalm Judge
Massie's body, identified the clothes and
pointed out the bullet holes. The fa-
tal wound was indicated by a hole near
the seam of the right shoulder of the
coat, and around the hole was a blood
spot several inches wide. A second
bullet hole was shown in the left leg
of the trousers, and below that hole
was a long streak of blood. The bullet
hole in the right sleeve of the coat was
also surrounded by blood. Inside the
coat's right shoulder was a spool of
blood under the armpit.

The clothes were first displayed at
to-day's proceedings. The thirty-eight
calibre pistol taken from Claude was
identified by Detective H. H. Lucas as
one of two he had found on the defend-
ant when he arrested him two weeks
after the shooting. The detective also
identified the other pistol of Claude.
Several sharp exchanges of words
between lawyers also enlivened the day
in the court. So prolonged did one fit
become this afternoon between Attor-
neys N. H. Hairston and Willis, of the
defense, and Joseph C. Wyser, of the
Commonwealth, that Judge Staples re-
buked them pointedly before the regu-
lar order of examination of witnesses
could be resumed.

H. L. Trolinger, the first witness to-
day, who had helped embalm Judge
Massie's body, also described the wounds
in the dead jurist's shoulder, arm and
leg. He said about half a gallon of
blood had been pumped from Judge Mas-
sie's right lung.

When Attorney John S. Draper, for
the State, endeavored to depict the re-
(Continued on Third Page.)

VIRGINIA'S DELEGATES-AT-LARGE TO NATIONAL DEMOCRATIC CONVENTION



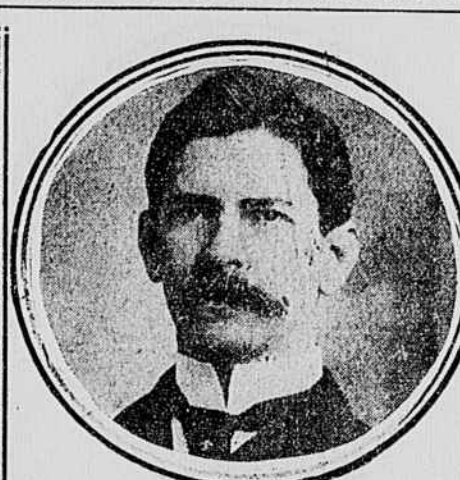
HARRY ST. GEORGE TUCKER.



SENATOR THOMAS S. MARTIN.



GOVERNOR WILLIAM HODGES MANN.



SENATOR CLAUDE A. SWANSON.



SPEAKER RICHARD C. BYRD.

ASSEMBLY STANDS BY FORMER ACTION

Question of Political Deliv-
erances by Church Courts
Considered Settled.

FINAL SESSION IS HELD

Recommendations Offered Con-
cerning Fight on Romanism
Excluded.

(Special to The Times-Dispatch.)

Bristol, Va., May 23.—The business
of the fifty-second General Assembly
of the Southern Presbyterian Church
having been completed and the docket
therefore having been cleared this
morning a few minutes before 11
o'clock, the moderator, Rev. Thomas S.
Stacy, declared the assembly dissolved
after saying from the chair these words:

"By virtue of the authority delegat-
ed to me by the church let this as-
sembly be dissolved, and I do hereby
dissolve it, and require another Gen-
eral Assembly, chosen in the same
manner, to meet in Atlanta, Ga., Thurs-
day, May 15, at 11 A. M., 1913," and
following these words with the aposto-
lic benediction he dismissed the assem-
bly.

It is probable that no General As-
sembly in the history of this church
during recent years has completed the
business of the body in so short a time.

Following the devotional service and
the reading of the minutes of Wed-
nesday's sessions, the first resolution
presented this morning was that of
the special committee which had un-
der consideration the resolution pre-
sented by E. M. Green on yesterday
touching the authority of any
church court to recommend political
measures for adoption by the State
Legislature or attempt to control
the votes of the citizens.

"Resolved, That it is the judgment
of this assembly that no church court
can constitutionally recommend polit-
ical measures for adoption by the
State Legislature or attempt to con-
trol the votes of the citizens."

"J. B. PICKLEN,
"R. W. RILEY, JR."

Minority Report Presented.
The following minority report was
presented by a member of this com-
mittee: "In reference to the resolu-
tion proposed concerning political
deliverances by church courts, your com-
mittee would report as follows: Inas-
much as the General Assembly is con-
sidered having already made numer-
ous deliverances on this subject, we
would refer the assembly to these deliv-
erances."
D. M. McIVER.

Hon. Allen G. Hall addressed the
assembly with reference to these re-
ports. He referred first to the fact
that for the assembly to adopt the ma-
jority report would be for that body
to take an action which would be a
reopening of the "Simmons case." He
then stated that many of the commis-
sioners had left Bristol, feeling that
this case had been settled by the action
of the assembly on Wednesday, and
that he felt the assembly could not
afford to adopt the majority report of
this committee and by this action do
indirectly to-day what it refused to
do directly on Wednesday. Mr. Hall
said further that under these condi-
tions he felt that he must insist upon
the call for the question upon the
minority report.

The moderator put the question to
the house at once and the minority re-
port was adopted.

The following resolution was adopted
with a rising vote:
"The General Assembly of the Pres-
byterian Church in the United States,
in session at Bristol, impressed with
the strategic location of King College
and of its potential importance in the
center of a rapidly developing section
and among people from whom have
come some of our most useful leaders,
and profoundly grateful for the im-
mense contribution this college has al-
ready made to our church, would re-
cord its appreciation of the institution
and commend it most heartily and
earnestly to the sympathies, prayers
and benefactions of the church at
large, and of all people who are inter-
ested in Christian education."

Rev. J. A. Wallace expressed his ap-
preciation for these words and this
action of the assembly regarding King
College.

The next report submitted was that
of the committee on mileage, and the
report was adopted.

Action on Romanism.
The report of the ad interim com-
mittee on Romanism was taken from
the docket, but contrary to expecta-
tion there was no debate of this sub-
ject. Debate was avoided by the pre-
sentation of the following resolution
by Rev. R. C. Reed, and the statement
of Hon. Allen G. Hall, the author of



ALFRED B. WILLIAMS.



R. TATE IRVINE.



REPRESENTATIVE HAL D. FLOOD.

PLATFORM AND RESOLUTIONS OF DEMOCRACY IN VIRGINIA AS ADOPTED BY CONVENTION

The Democratic party of Virginia,
in convention assembled, heartily
indorses the administration of
Governor William Hodges Mann
and the other State officers and
challenges the most searching scru-
tiny as to their fidelity and devo-
tion to the pledges which were
made by them to the people.

After twenty-seven years of un-
disputed supremacy in the State,
the Democratic party of Virginia
refers the people to a consistent
record of honesty, efficiency and
progress in administration and leg-
islation and the present resultant
conditions of good order, good feel-
ing and general prosperity unprece-
dented in our history.

The State has not only met her
financial obligations punctually,
but has anticipated them. Her
credit is as good as that of any
government in the world. Her
people, encouraged by stable condi-
tions, moderate taxation, fairly ad-
justed among all classes, and wise
progressive leadership, give their
attention more hopefully and ear-
nestly than ever before to the de-
velopment of our vast material re-
sources and to the establishment
of permanent and general systems
of good roads and public schools.

The Democratic party is proud of
the fact that, without increasing
the burden on the taxpayers, more
money is being used for school pur-
poses and for roads than ever be-
fore in Virginia, and that pensions
to the survivors of the Confed-
erate armies have steadily increased
as the revenues and the necessities
of the State permitted.

Resolved, That we indorse the ac-
tion of the Democratic House of
Representatives in its wise and
timely revision of the tariff, in its
determined efforts for economical
administration of the government
and its statesman-like leadership,
which has brought harmony to the
party councils and thereby afford-
ed to the people the spectacle of a
party fully equipped to legislate
in the interests of all the people.

Resolved, That we favor that re-
vision of the tariff which has passed
in the bills which have passed the
House of Representatives, and we
declare our firm conviction that
the people will only secure relief
from the unjust burdens under
which they are staggering by plac-
ing the Democratic party in power;
we believe that the tariff is the
most vital issue in this campaign,
and that it should not be obscured
by any other issue.

Resolved, That we heartily in-
dorse the suggestion that this gov-
ernment should establish at least
one "free port," and that such
"port" be established on Hampton
Roads, in the State of Virginia.

We believe that the honest busi-
ness, farming and working classes
of the country would be largely re-
lieved from panics and consequent
unemployment by a democratic and
nonpartisan revision and codifica-
tion of our antiquated banking
laws, which, while creating an
elastic note and credit system,
would at the same time preserve
our independent banks from any
dominant financial or political con-
trol.

We approve the principle of na-
tional aid to State roads, as an-
nounced in our last national plat-
form, and specifically indorse the
bill which affords such aid and
which was recently passed by a
Democratic House of Representa-
tives.

Believing that the principle of a
graduated tax on incomes is sound,
equitable and thoroughly demo-
cratic, and that the proposed
amendment to the Federal Constitu-
tion, which has been submitted
to the several States of the Union
for ratification, designed to make
clear the power of the Federal gov-
ernment to lay such a tax without
apportionment among the several
States according to population,
should receive the ratification of
Virginia and of such other States
as have not already ratified it, we
declare it as the sense of this con-
vention that said proposed amend-
ment should be ratified by the next
General Assembly of Virginia, and
we express the hope that a Demo-
cratic Congress and President
will carry this method of taxation
into effect at the earliest opportu-
nity, to the end that wealth may
bear its just proportion of the bur-
dens of the government.

We believe that the faith of the
Democratic party is pledged to an
immediate declaration on the part
of Congress of some definite date
at which the independence of the
Philippine Islands shall begin.

We believe, further, that the cap-
acity for self-government of the
people of these islands has been as-
sessed under American adminis-
tration as to justify admitting them
to an increasing participation in
the local administration of the af-
fairs of their country, subject to
the paramount authority of the
United States until the date of com-
plete independence shall arrive.

We believe, further, that conven-
tions should be arranged through
international agreement to neutral-
ize this territory for all time to
come.

We approve the principle of the
bill providing for this and other
legislation of interest to the people
of these islands and of the United
States, now pending in the House
of Representatives.

The convention reaffirms its alle-
giance to the principle of primary
elections for nominations to office.
In order to make the party plan
conform to the State law, it has
been thought proper to refer all
the resolutions relating to primary
elections to the State Central Com-
mittee, with full authority to act
in relation to the same. To that
end, therefore, be it—

Resolved, That the State Central
Committee be, and it is hereby, au-
thorized and requested to make
such changes in the present party
plan for primary elections as may
be necessary to make said plan con-
form to the State law regulating
primary elections, adopted by the
General Assembly at its session in
1912.

Resolved, lastly, That this con-
vention elect eight delegates-at-
large, each with one-half a vote;
that no unit rule shall be enforced
upon the first ballot, and that, after
the first ballot, if two-thirds of the
delegation concur, the unit rule
may be adopted.

Resolved, That when a meeting
of the State Committee is called,
three or more members from a dis-
trict shall be authorized to cast the
vote of the entire delegation from
their district, for the purpose only
of making a quorum.

Resolved, That the State Com-
mittee is authorized to amend the
sixth clause of the Virginia Demo-
cratic organization, whereby the
number of members of the county
or city committee may be estab-
lished on the basis of the number
of Democratic voters of said dis-
tricts or wards, and not on the
basis of the same number from
each district or ward, regardless of
the number of Democratic voters.

Whereas, the present Democratic
State Convention is the first to as-
semble since the death of the Hon-
orable John Warwick Daniel, we
deem it our duty to record our ve-
neration and esteem for him; there-
fore, be it—

Resolved, That Virginia will
never cease to mourn his prepara-
tory loss and will never forget this
great and good man, this brilliant
and matchless orator, this eminent
lawyer, this profound statesman
and loyal friend, this dashing and
gallant soldier of the Lost Cause.

Resolved, That the deepest sym-
pathy of this convention is extend-
ed to our senior Senator in the ex-
treme illness of his wife, and the
hope is expressed of her ultimate
and complete recovery.

SAILING DELAYED BY SPOILED MEAT

Inspectors Reject 20,000 Pounds
Intended for Marines on
Prairie.

TRANSPORT OFF FOR CUBA

Intervention Not Intended, but
Admitted Situation Is
Very Bad.

Philadelphia, May 23.—The United
States transport *Prairie* sailed to-
night from Philadelphia navy yard
with a full complement of marines un-
der sealed orders, presumably for
Cuba.

Only one-third the amount of beef
intended as provisions was aboard,
about 20,000 pounds having been re-
jected by inspectors, as it was about
to be loaded upon the vessel because
it did not meet contract requirements.
The hour set for sailing was changed
and an effort made to secure other
beef to replace that which had been
condemned, but hurry orders from
Washington caused the vessel to leave
Washington with about 10,000 pounds of meat. It
had been intended to take 50,000
pounds.

The *Prairie* had already been loaded
with 100,000 rounds of small arms am-
munition, three 2-inch steel field
pieces and six automatic guns, as well
as coal, tents and provisions for the
marines, when the rejected beef ar-
rived at the dock.

Lincoln Karmany, of the
Norfolk navy yard, is in command of
the marines who sailed. The regi-
ment of 150 men is made up of de-
tachments from Brooklyn, Washing-
ton, Annapolis and other points, as
well as from the local yard.

Intervention Not Intended.
Washington, May 23.—The action of
the United States government in send-
ing the naval transport *Prairie* with
the marines to Cuba is the result of
reports received at the State Depart-
ment of threatened danger to Ameri-
can lives and property as an out-
growth of the uprising in that coun-
try. The *Prairie* will proceed to the
island just arrived at the State Depart-
ment to join the gunboats *Paducah*
and *Nashville*.

State Department advisers to-day re-
garding Cuba were very pessimistic.
Apparently the government has been
unable to estimate the strength or the
purpose of the present revolutionary
movement. The Cuban military au-
thorities admit that the situation is
serious, but think they can control it.
It is reliably reported to the State De-
partment that many people consider
the movement designed to provoke in-
tervention.

It was carefully explained at the
State Department that this is not to be
considered an intervention movement
on the part of the United States, but
merely a precautionary step in order
that, in case of necessity, protection
may be accorded to the Americans.

War Department Optimistic.
The optimistic attitude of the War
Department to-day towards the Cuban
disturbance was in marked contrast
to the depressing view of the situation
which obtained at the State Depart-
ment. The War Department had its
own sources of information, either in
officers of the army traveling in Cuba
or persons of large business interests
in the island just arrived from Havana.
Generally speaking, their view was
quite hopeful and a distinct improve-
ment in conditions was noted in the
last twenty-four hours.

Knowledge of the resources of Presi-
dent General Wood's government war-
ranted them in predicting a speedy sup-
pression of the insurrection, which is be-
lieved to be almost totally lacking in
financial support. These assurances, it
is believed, accounted for the fact that
the general staff made no move to-
ward supplementing the marine contin-
gent now bound for Cuba with troops.
An expeditionary force of 15,000 sol-
diers, it was stated, could be started
to Cuba in three days' notice, even the
transports being in readiness at New-
port News.

The naval officers felt that marines
are amply able to cope with any dif-
ficulty in the eastern end of Cuba at
this stage, unless the insurgents at-
tack American life and property and
the Cuban government is unable to af-
ford protection. However, it has been
deemed best to reinforce the gunboat
Paducah at Guantanamo, and the gun-
boat *Nashville* sailed to-day from San
Domingo City.

Call for Volunteers.
Havana, May 23.—In spite of re-
lated protestations by the government
that military conditions in the Prov-
ince of Oriente are most satisfactory
and it is only a question of a few
hours before the negro insurgents un-
der General Estenoz and Yvonet are
(Continued on Third Page.)

WILSON'S HOPES OF SUPPORT FROM HIS NATIVE STATE ARE SHATTERED

Virginia Gives Jersey
Governor but 61-2
Votes, and That on
First Ballot Only.

PARTY POWERS MAKE FURTHER AID IMPOSSIBLE

After First Ballot at Baltimore Is
Cast Unit Rule May Be En-
forced — Eight Delegates-at-
Large, With Half a Vote
Each, Elected at Democratic
State Convention in Norfolk.
Move for Presidential Prefer-
ence Primaries Defeated Over-
whelmingly — Platform Calls
for Ratification of Income Tax
Amendment.

The New State Committee

Convention Hall, Norfolk, Va., May
23.—The new State Democratic Com-
mittee is as follows:
J. Taylor Elyson, Richmond, State
chairman.

First District—T. J. Downing,
Lancaster; R. L. Alworth, North-
ampton; J. M. Curtis, Newport News;
J. Boyd Sears, Mathews; E. D. Cole,
Fredericksburg.

Second District—W. W. Sale, Nor-
folk; Dr. P. S. Hope, Portsmouth;
A. Johnston Atkins, Princess Anne;
A. C. Cromwell, Norfolk county.

Third District—E. L. C. Scott,
Hannover; Clyde W. Saunders, Rich-
mond; W. H. Barnes, New Kent;
Simon Solomon, Henrico; Dr. J. B.
Fisher, Chesterfield.

Fourth District—H. F. Hutcheson,
Mecklenburg; R. L. Morris, Surry;
J. Taylor Thompson, Prince Edward;
Robert Gilliam, Petersburg.

Fifth District—R. A. James, Pitt-
sylvania; T. G. Burch, Henry; D. A.
Nicholson, Franklin; J. M. Hooker,
Patrick; John W. Carter, Jr., Dan-
ville.

Sixth District—P. G. Howard,
Floyd; Lawrence O. Davis, Rocke-
city; W. H. Miller, Lynchburg;
Frank Nelson, Campbell; George M.
Muse, Roanoke county.

Seventh District—W. E. Carson,
Warrenton; Judge R. T. W. Duke, Char-
lotteville; R. C. W. Williams, Win-
chester; W. A. Byerly, Rockingham;
George W. Kinney, Clarke.

Eighth District—Gardner L.
Boothe, Alexandria; R. C. L. Mon-
cre, Stafford; Thomas A. Williams,
Stafford; Raleigh T. Green, Culpeper;
R. A. McIntire, Fauquier.

Ninth District—J. B. Boyes, Tazew-
ell; J. B. Boyes, Lee; Dr.
J. D. Buchanan, Smyth; B. T. Wilson,
Russell; John H. Gore, Bristol.

Tenth District—John Button, Ap-
pomattox; Edward E. Williams, Win-
chester; W. A. Byerly, Rockingham;
George W. Kinney, Clarke.

BY ALEXANDER FORWARD.
Norfolk, Va., May 23.—Except that
Richard Evelyn Byrd, Harry St. George
Tucker and R. Tate Irvine will have
the privilege of sitting in the National
Democratic Convention in Baltimore
and casting their votes on the first
ballot only for Woodrow Wilson, the
campaign for the New Jersey Governor
in the State of his activity has come to
naught. A compromise made to-day
between the Wilson forces and the field
of the former only the sending of
three delegates-at-large to the national
council of the party, while the powers
that he in Virginia politics have avoided
the painful process of openly and
publicly manhandling the remains of their
rival, the Speaker of the House of
Delegates.

Including the district delegates who
are for Wilson, his total vote from
Virginia will be six and one-half, while
the opposition has seventeen and one-
half. After the first ballot, according
to the agreement and the instructions
given by the convention, the unit rule
may be applied by a two-thirds vote of
the delegation.

Save in the very remote possibility
of Governor Wilson's nomination on
the first ballot, this vote will give him
no aid whatever in his presidential
aspirations, unless it should appear
to the party leaders that he is the most
available man and that it would be
advantageous to go to him.

It is a well known fact that Stuart Gatewood Gib-
boney, of New York, Wilson manager,
takes a more hopeful view of the situ-
ation. In a statement to The Times-
Dispatch to-night, he claims that
thirteen of the twenty-four votes are
for Wilson, and that by no possibility
can a two-thirds vote be secured to
take the entire delegation away from
him. But the organization has attend-
ed to it, and those on the inside
know better.

So do the well informed Wilson
leaders. Representative William A.
Jones takes no pains to conceal his
disgust. "You may say for me," he
said to-night, and publish it as much
as you wish, that the machine has seen
to it that it will have two-thirds of the
delegation after the first ballot; other-
wise it would never have consented to
the compromise, so-called. It is prac-
tically impossible that Governor Wil-
son can win the first ballot and the
(Continued on Eighth Page.)